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FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

Report of the Fifth Committee (Part II)

Rapporteur: Mr. Peter MADDENS (Belgium)

I. INTRODUCTION

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 136 appear in the report of the Committee contained in document A/50/849.

2. The Fifth Committee considered the item further at its 53rd and 55th meetings, on 2 and 4 April 1996. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/50/SR.53 and 55).

3. For its consideration of the item, the Committee had before it the report of the Secretary-General on the financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Law Committed in the Territory of the Former Yugoslavia since 1991 (A/C.5/50/41).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/50/L.35

4. At the 55th meeting, on 4 April, the representative of Austria introduced a draft resolution (A/C.5/50/L.35).

5. At the same meeting, the Committee adopted draft resolution A/C.5/50/L.35 without a vote (see para. 6).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the report of the Secretary-General on the financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, 1/

Recalling its resolution 50/212 of 23 December 1995, by which it appropriated to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 an amount of 8,619,500 United States dollars gross (7,637,500 dollars net) for the period from 1 January to 31 March 1996 to allow the International Tribunal to continue its activities through 31 March 1996, without prejudice to recommendations the Advisory Committee on Administrative and Budgetary Questions might make to the General Assembly at its resumed fiftieth session,

1. Decides to authorize the Secretary-General to enter into commitments in the additional amount of 8,619,500 dollars gross (7,637,500 dollars net) for the period from 1 April to 30 June 1996 to allow the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 to continue its activities, pending a detailed report of the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions;

2. Decides also, as an ad hoc and exceptional arrangement, that Member States shall waive their respective shares in the credits arising from previous budgets of the United Nations Protection Force in the total amount of 4,309,750 dollars gross (3,818,750 dollars net) and hence accept an equivalent increase in the assessments for a future budget period of the Force in the same amount, to be transferred to the Special Account for the International Tribunal from the Special Account for the United Nations Protection Force established pursuant to General Assembly resolution 46/233 of 19 March 1992;

3. Decides further to apportion 4,309,750 dollars gross (3,818,750 dollars net) for the period from 1 April to 30 June 1996 among Member States in accordance with the scale of assessments for the year 1996;

1/ A/C.5/50/41.

4. Decides that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 3 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 491,000 dollars for the International Tribunal for the period from 1 April to 30 June 1996.